

Government rewrites history for UN report

The government appears to have left out any mention of the brutal cuts to disabled people's benefits and services in a crucial report about how it is implementing the United Nations (UN) disability convention.

[The report](#) was submitted today (Thursday) to the UN by the UK government's Office for Disability Issues, and describes measures that are being taken to implement each of the articles of the UN Convention on the Rights of Persons with Disabilities.

But an initial analysis of the report suggests the government has omitted any mention of its planned 20 per cent cut to spending on disability living allowance (DLA), and of other cuts, such as plans to impose a one-year time limit on most claimants of the contributory form of employment and support allowance (ESA).

In the section on article 28 of the convention, which describes disabled people's right to an adequate standard of living, the government's report admits that twice as many disabled adults in Britain live in "persistent poverty" as non-disabled adults.

But it makes no mention of how the DLA cuts, the impact of ever-tightening eligibility criteria for care services being introduced by councils, the cuts to ESA, or the closure of the Independent Living Fund to new members are set to attack people's standard of living.

Even in an annex summarising responses from disabled people and disabled people's organisations to May's draft version of the report, it appears to skate over the public spending cuts.

The annex says: "Disabled people believe that in the approach taken to reform, and the government's ambition to reduce public sector spending, government should avoid steps that might result in disproportionate impact on them when compared to non-disabled people."

It is also careful not to mention the word "cuts" in the annex section on independent living, instead reporting that disabled people had "suggested" that "changes" to local authority spending would lead to councils "focusing provision on the services which they have a legal obligation to deliver".

Maria Miller, the minister for disabled people, said the report was "an important milestone" and "sets out the progress we have made across the United Kingdom and the approach to delivering the government's commitment to equality for disabled people".

She added: "Going forward, we will maintain this momentum through a new disability strategy. We will use the convention as a starting point to focus all our energy on ensuring that disabled people have the opportunity to fulfil their potential."

The UK Disabled People's Council is leading a project – [Disability Rights Watch UK](#) – to compile a separate, independent report to the UN based on evidence from disabled people and their organisations, while the Equality and Human Rights Commission and the Scottish Human Rights Commission will also submit reports to the UN.

24 November 2011

Progress has been made on 'fitness for work' test, says review

Disability organisations have welcomed [the second annual review](#) of the government's much-criticised "fitness for work" test, but have warned that progress on improving the assessment has been too slow.

Professor Malcolm Harrington, who has carried out both independent reviews for the government, said he believed "real progress" had been made in improving the work capability assessment (WCA), although he said he would "not for one minute claim that things are perfect".

Harrington's first review concluded that changes were needed to all stages of the assessment – which assesses eligibility for employment and support allowance (ESA) – to make it a "fairer, more effective and more humane process".

But the Disability Benefits Consortium (DBC) said progress on improving the test had been "slow", while there were still "fundamental problems" with the WCA.

Harrington's new review proposes a number of new recommendations to improve how the WCA operates and the "transparency" of the face-to-face assessment, and to develop new guidance for the professionals from Atos Healthcare who carry out the assessments and the civil servants who make decisions on eligibility.

Harrington also warned that the programme to reassess about 1.5 million existing claimants of old-style incapacity benefit would "place considerable demands on every part of the WCA process", and showed the need for "the right decision about a claimant's eligibility for ESA to be made first time".

Neil Coyle, director of policy for Disability Alliance and a member of the DBC steering group, called on the government to make a "more significant effort" to ensure further improvements to the WCA were made "as swiftly as possible" so as to "reduce avoidable expenditure on appeals".

He also called for more government support for disabled people to get and keep work, including greater use of the Access to Work programme.

The consortium also warned that measures in the government's welfare reform bill would impose a one-year time limit for most people on the contributory form of ESA, a move which it said would "undermine the effectiveness of the benefit and deny support to hundreds of thousands of disabled people".

And it urged the government to learn lessons from the WCA to "avoid repeating the mistakes" in its planned reform of disability living allowance.

Chris Grayling, the Conservative employment minister, said the government would implement all of Harrington's recommendations.

He said: "It is in everyone's interest to get the system right. We want the assessment to be as fair and consistent as possible. This is the first step on a journey back to work for many people and we want it to be positive.

"The system is far better than it was two years ago but there are still improvements and refinements we can make."

24 November 2011

Self-advocacy campaigner takes organisation's fight for survival to high court

A disabled activist with one of the country's leading self-advocacy organisations has spoken of her pride in taking her council to court over its decision to remove their funding.

Gina Barrett and colleagues from People First Lambeth (PFL) were in the high court this week for a judicial review of Lambeth council's decision not to renew annual contracts with PFL worth £118,000.

The judge's ruling is not expected until next month, but Barrett said she was "happy" that she had taken the council to court.

She said: "It was a good thing for me to do because not many people with learning difficulties go to court.

"It was good in a way that I did it for other people that have got learning difficulties. I felt good because it was a challenge for me to do it, but I found a good lawyer who was on my side."

She said it was important to take a stand against the council because PFL was the only organisation run by people with learning difficulties in Lambeth.

Barrett said she had felt “upset and horrible” at the council’s “hurtful” decision to withdraw PFL’s funding and “pay someone else to do what we have done”, rather than paying people with learning difficulties to do the work themselves.

The council funding made up 94 per cent of PFL’s annual revenue, and Barrett and other people with learning difficulties from Lambeth are now fighting for the survival of their organisation, which was set up in 1985.

Louise Whitfield, a judicial review expert with Pierce Glynn solicitors, the firm representing Barrett, said: “It is important and significant for people with learning disabilities that the case was brought by a person with a learning disability.”

Barrett’s lawyers claim the council failed in its public sector equality duty – under the Disability Discrimination Act – to pay due regard to the impact of the cuts on disabled people and the need to promote disability equality, and to consult or engage with PFL members, before making the decision.

Whitfield said it was one of the first cases to look at these duties in respect of people with learning difficulties.

She said: “If you decide to consult, you have to do it fairly, and obviously if your consultees have particular needs you need to address those needs to make the consultation process fair and lawful, and part of our argument was that that had not been done.”

They also challenged the council’s continuing consultation efforts, using the new Equality Act to argue that removing PFL’s funding had made it impossible for members to secure the support they needed to take part in the process.

Although the council eventually responded to these later concerns by appointing a “user involvement worker”, this was only a part-time post and the person was not employed or managed by PFL.

The case is just the latest in a series of high-profile judicial reviews of decisions by public bodies to slash services and spending following huge cuts by the coalition government.

Lambeth council declined to comment.

24 November 2011

DPOs set to submit evidence on media hostility to Leveson Inquiry

At least three disabled people's organisations (DPOs) plan to submit evidence to a major inquiry to draw its attention to how some newspapers are stirring up hostility towards disabled people.

The Leveson Inquiry was set up to examine the role of the press and the police in the wake of the News of the World phone-hacking scandal, with the first part of the inquiry examining the culture, practices and ethics of the media.

Disabled activists have repeatedly criticised newspapers like the Daily Mail for publishing offensive, disablist and inaccurate stories about disability benefits, particularly incapacity benefit, employment and support allowance and disability living allowance.

Now the UK Disabled People's Council (UKDPC), Inclusion London and the Disability Hate Crime Network (DHCN) are all set to submit evidence to the inquiry.

Jaspal Dhani, chief executive of UKDPC, said: "Now the media are under the spotlight it is a fantastic opportunity for us to raise our concerns about how they are portraying disabled people."

He said there was strong anecdotal evidence that disabled people were facing an increase in targeted hostility and hate crime as a result of stories that have been published in newspapers such as the Daily Mail.

He said: "When you look at the hostility and verbal abuse about people being 'workshy' and 'scroungers', where would people get those messages from?"

"I think it is pretty safe to assume that a lot of those messages arise from certain sections of the press. Those kinds of messages have to influence people's thinking."

UKDPC is hoping other DPOs will contact it with newspaper stories they have found inaccurate, hostile and offensive.

Tracey Lazard, chief executive of Inclusion London, said she hoped to submit joint evidence to the inquiry, alongside other campaigning organisations.

The evidence is likely to draw the inquiry's attention to the government's failure to counter "outrageous, inaccurate and hostile reporting" by some newspapers, and how some Department for Work and Pensions press releases appear to have contributed to those stories.

Lazard said there was a clear link between the press coverage and a rise in hostility, and added: "When we meet disabled people they are saying that the climate is significantly worse, they are far more fearful of how they are perceived."

Stephen Brookes, a coordinator of DHCN, which also plans to submit evidence to the inquiry, said: “We have continually been told that the language that has been used about disabled people is demeaning and damaging, and it is a continual drip-feed of harassment.”

He said it was clear that some of the hostility facing disabled people “has originated through the papers”.

DPOs can email scans of newspaper articles or internet links to info@ukdpc.net or send them by post to Jaspal Dhani, UKDPC, Stratford Advice Arcade, 107-109 The Grove, Stratford, London E15 1HP.

24 November 2011

DAN sends message to coalition: We are coming for you

The radical disabled people’s network DAN has warned the government to expect an imminent return to the kind of high-profile, non-violent, direct action protests last seen in the 1990s.

The pledge was made at the launch of the second [UK Disability History Month](#) (UK DHM), which is running until 22 December.

Barbara Lisicki was a key DAN figure in its glory days in the 1990s, which saw disabled activists forcing ITV to abandon its fund-raising Telethon, and chaining themselves to buses to protest at the lack of accessible transport.

Lisicki told the UK DHM launch event, held at the National Union of Teachers’ London headquarters: “When disabled people get together they have immense power.”

But she said the protests currently taking place over the government’s cuts to benefits and services were “too nice, too polite” and it was “time we got out there and upset people”.

She added: “DAN had a great history but we need to have a great future, too.”

After the launch, Lisicki told Disability News Service that direct action over the government’s cuts to disabled people’s benefits and services would happen, and added: “I can’t tell you when and how, but it is going to happen for sure.

“The issue is very much ‘stop attacking disabled people’s rights’. It is about saying that all the gains we have made are just being grabbed back and they think we will not notice.”

She said she believed the protests would have as much impact as DAN’s actions in its 1990s heyday, and would certainly target the government.

She said: “When it happens, it will be a big splash. It is a question of when, not if.”

UK DHM founder Richard Rieser said disabled people owed many of the rights they currently enjoyed to previous campaigns led by the disability movement, and added: “This government is pedalling lie after lie about our lives as disabled people.

“We need to get a little bit more active about this, otherwise all those things achieved in the past will be gone.

“Disability History Month isn’t just about looking over our shoulder, it is also about moving forward.”

Other presentations at the launch included one from Maresa MacKeith, a poet and disabled activist, who discussed the work of two eighteenth century disabled poets, Mary Chandler and Mary Leapor, and read a poem from her own book, [Taking the Time](#).

As part of UK DHM, the British Library has launched [Disability Voices](#), a new collection of oral history interviews with disabled people.

The collection includes: the Scope-led project Speaking for Ourselves, an oral history of people with cerebral palsy; Hearing Link’s Unheard Voices, a collection of interviews with Deafened People; interviews with Paralympians Baroness [Tanni] Grey-Thompson and Danny Crates, recorded for An Oral History of British Athletics; and Geoff Webb’s self-recorded autobiography, his account of living with polio.

Meanwhile, Katharine Quarmby, who is taking part this weekend in a discussion about disability hate crime [as part of UK DHM](#), has been presented with the literature prize at the annual Ability Media International Awards for [Scapegoat](#), her ground-breaking book on the subject.

Quarmby will be speaking at the [free event](#) at the TUC’s headquarters in London on Saturday 26 November, from 11am, alongside Mike Smith, the Equality and Human Rights Commission’s disability commissioner, and Stephen Brookes, a coordinator of the Disability Hate Crime Network.

24 November 2011

Hate crime linked to newspaper stories of fraud and ‘scroungers’

Disabled activists have linked the conviction of a man who called his disabled neighbour a “benefit scrounger” to hostile stories and comments that have come from the media and the government.

Magistrates used disability hate crime laws to increase the sentence imposed on David McGregor, who had waged a three-month hate campaign against Peter Greener.

South Tyneside magistrates heard that McGregor accused Greener of being a “benefit scrounger”, encouraged his own and other local children to hurl abuse at him, sprayed graffiti on Greener’s fence, and threw rocks at his window, much of it caught on CCTV that had been installed by the Greener family.

Greener has a fluctuating condition, which means sometimes he can walk and sometimes he uses a wheelchair, but McGregor claimed he was exaggerating his impairment.

McGregor, of Johnston Avenue, Hebburn, pleaded guilty to harassment, criminal damage and attempted criminal damage.

He was handed a 10-week prison sentence, suspended for 12 months, and must carry out 80 hours of unpaid work. He was also given a restraining order and told not to harass or intimidate the Greener family for 12 months.

Magistrates had been intending to impose a community order, but because the Crown Prosecution Service (CPS) drew their attention to the disability hate crime aspects of the case, they instead imposed a more serious suspended prison sentence.

The case was mentioned by Anne McGuire, Labour’s shadow disabled people’s minister, in a [Commons debate on disability hate crime](#) this week.

She linked Greener’s ordeal to the government’s treatment of welfare reform and its use of statistics on disability benefits, and to the “dramatic increase in the number of media articles related to disability fraud”.

She said that the “daily feeding to the media of press releases and distortion of figures, and the calling into question whether people really are disabled, has changed the landscape for disabled people”.

McGuire called on Maria Miller, the Conservative minister for disabled people, to “challenge some of the more outrageous and outlandish comments” by some of her senior ministerial colleagues, because she said they were causing “fear and uncertainty” among disabled people.

Kaliya Franklin, the disabled blogger and activist who co-founded [The Broken of Britain](#), said the court case showed signs of improved “understanding, classification and management” of disability hate crime by the criminal justice system.

But she said the number of anecdotal reports of disability hate crime had increased rapidly in the last year, and also raised concerns that many were linked to hostile reports appearing in newspapers such as the Daily Mail, and public comments from government ministers.

She said: “Disabled people are afraid, not just of the impact of the cuts, but that we are becoming targets for the wider community as a direct result of the demonisation of benefit recipients coming from the government and media.”

Stephen Brookes, a coordinator of the Disability Hate Crime Network, was behind a statement issued last week by the National Union of Journalists’ (NUJ) disabled members council, which urged journalists to “support and sustain fair and balanced reporting of matters relating to disabled people”.

The NUJ said the “continuous drip-feed” of stories promoting a “range of inaccurate and generalised accusations against disabled people” had led to them being “demonized” in the press as “work shy” and “scroungers” and caused hostility, discrimination and physical attacks.

Brookes, joint chair of the disabled members council, said cases such as the hostility experienced by Peter Greener were “the exact reason why I wanted that statement”.

A CPS spokesman welcomed Northumbria police’s action in treating the offences as motivated by hostility towards a disabled person.

He said the way the police, CPS and magistrates had dealt with the case “demonstrates that the messages around disability hate crime and other hate crime are being received and understood and people are acting on that”.

Campaigners have repeatedly highlighted the failure of the courts, police and prosecutors to take advantage of section 146 of the Criminal Justice Act, which allows courts to impose harsher sentences for disability hate crimes, although not for murders.

But earlier this month, police, prosecutors and magistrates in Bristol won praise for using section 146 to increase the sentence imposed on a hairdresser who shaved an offensive word into the hair of a man with learning difficulties.

24 November 2011

Conference ‘excluded disabled people in poverty’

Organisers of a conference aimed at addressing disability poverty made it too difficult for disabled people experiencing poverty themselves to attend the event, it has been claimed.

The conference was organised by three leading disability organisations, Disability Alliance (DA), RADAR and the National Centre for Independent Living (NCIL), and was held at the central London offices of the international law firm Taylor Wessing.

But disabled activists criticised the failure to offer free places, or provide bursaries to cover the cost of travel to the conference, for disabled people on benefits, or to hold the conference in a more accessible part of London.

They also pointed to the lack of blue badge parking spaces or an accessible tube station near the venue.

A small group of activists had protested outside the venue about the government's welfare reforms, and the presence at the conference of the minister for disabled people, Maria Miller, and executives from Atos Healthcare, which carries out "fitness for work" tests for the Department for Work and Pensions.

But the activists were refused entry to the conference when they asked to be allowed to attend the event after their protest.

Members of the three organisations had been charged £40 to attend the conference, while non-members paid £70 and "unwaged individuals" £10.

Linda Burnip, co-founder of [Disabled People Against Cuts](#), who did attend the conference, said: "It's a conference on disability poverty and the people excluded are disabled people on benefits, because they cannot afford the £10 to get in."

Anne Pridmore, chair of [Being the Boss](#), which supports disabled people who employ personal assistants, also attended the conference.

She travelled to London from Leicestershire with a colleague. They faced a total bill of £140 to attend, including transport costs, all of which they funded themselves.

Pridmore said: "What we are saying is that this conference wasn't aimed at the people who have the most to lose."

Neil Coyle, DA's director of policy, said the event was "very accessible", and there had been a need to charge delegates in order to cover the conference's costs, which included hiring a British Sign Language interpreter, and paying for transport and overnight accommodation for one of the speakers.

But he said he hoped Disability Rights UK, which will be formed next year through a merger between NCIL, DA and RADAR, would take a "more systematic approach" to such conferences.

He also said he hoped Taylor Wessing would offer the venue free of charge again next year, despite the company's concerns about repeat protests.

He added: "We will be planning events like this for the new organisation and will take on board the comments we have had on this."

“I think we have done a good job in limited circumstances to provide a debate that is so relevant to disabled people’s lives.”

He said material from the conference – including Miller’s speech – was being placed on [DA’s website](#).

24 November 2011

Miller faces angry heckling at poverty conference

A government minister and executives from the company that carries out “fitness for work” tests on disabled people have faced angry criticism from campaigners at a national conference on disability poverty.

Maria Miller, the minister for disabled people, once again faced heckling from disabled people as she tried to justify the government’s cuts and reforms to disability benefits.

The heckling came a month after she faced repeated, angry interruptions from activists at the mayor of London’s annual Disability Capital event.

Miller faced particular anger from delegates to this week’s [Tackling Disability Poverty conference](#) when she tried to justify the government’s sweeping welfare reforms by pointing to the need to tackle the number of people “defrauding” the system.

Only seconds earlier, she had argued that there was nothing she could do to stop the media portraying disabled people as cheats and scroungers.

Miller told the conference, organised by Disability Alliance, RADAR and the National Centre for Independent Living: “The need for reform is clear because all too often at the moment we cannot be absolutely sure that money is really getting through to those who need it most.”

Linda Burnip, co-founder of Disabled People Against Cuts, told Miller that disabled people were “living in fear every day that they are going to lose their benefits and care funding, and worse, they are losing their benefits and their care funding”.

Miller said much of this fear was “founded on perhaps a lack of information” and that the government was trying to ensure there was a “benefit system with the sort of integrity which will help disabled people get the support they need”.

She added: “When I open the newspaper and I see yet another case of somebody defrauding the benefit system what I think is that that probably doesn’t help disabled people really feel confident... that it is a support system that has integrity around it.”

Tracey Lazard, chief executive of Inclusion London, called on the Department for Work and Pensions to issue positive case studies to the media as part of a plan “to counter what are outrageous levels of inaccurate reporting” about disability benefits.

Another disabled activist, who had been vocal in heckling Miller, pointed afterwards to the people he was supporting who were feeling suicidal because of the government’s welfare reforms.

He said: “You have to hold people accountable for their actions. You can’t just gloss over the reality of what they are doing to people. It’s barbaric.”

A senior executive for Atos Healthcare, the private sector company which carries out the much-criticised “fitness for work” tests for the government, shocked many of the conference delegates by suggesting that his company had vastly improved its performance.

The company, and the healthcare professionals it employs, have faced fierce criticism from many disabled people who have been tested using the government’s work capability assessment (WCA).

But Dr David Beswick, Atos’s medical director, claimed the company had recognised that it was “not looking after customers as well as we should” and needed to “focus better on their experience” and “make this a much more positive experience for them”.

He said Atos had implemented recommendations from the first annual review of the WCA by Professor Malcolm Harrington, and had improved the operation of its call centre, while a customer survey found satisfaction levels with staff courtesy and professionalism had topped 90 per cent.

But Sue Royston, from Citizens Advice, suggested the survey would have produced completely different results if claimants had been able to see the reports the Atos professionals had actually written.

There were also new concerns raised at the conference about the government’s administration of its Access to Work (AtW) scheme.

Robert Droy, from Southampton Centre for Independent Living, said his organisation had been “inundated with problems to do with Access to Work” over the last nine months.

He said he spent 10 hours last week sorting out problems with just one disabled employee’s AtW payments.

He said: “If I am getting to the end of my tether as a disabled person, how on earth are you going to convince a private company to actually take on disabled people?”

Disability News Service has reported a string of concerns about the coalition government's commitment to AtW, including alarming evidence of a slump in the number of "new customers" helped by the scheme.

24 November 2011

Fears over sickness absence report

A government-backed report is set to make it harder for disabled people to claim out-of-work disability benefits, while potentially delivering another lucrative assessment contract to the private sector.

The authors of the report on "sickness absence" admit their proposals would "put more pressure on people to return to work", but claim that in many cases this would "be in their own best interest, not just that of employers and taxpayers".

David Cameron, the prime minister, appeared to back the report's conclusions in an interview this week in the Daily Mail in which he described sick pay as a "conveyor belt to a life on benefits", and said the government needed to "end the something for nothing culture".

[The health at work report](#) was written by Dame Carol Black, the government's national director for health and work and a former president of the Royal College of Physicians, and David Frost, former director general of the British Chambers of Commerce.

They claim that 11 million employees a year take sick leave, with about 300,000 going on to claim employment and support allowance (ESA) – the new replacement for incapacity benefit – while sick pay costs employers £9 billion a year.

The report says its recommendations would reduce the number of new ESA claims by half.

It calls on the government to scrap the 13-week ESA "assessment phase" because of "wasteful delays" in the average 17 weeks it takes to complete the work capability assessment (WCA), which tests ESA eligibility.

The report points out that just over half (53 per cent) of those assessed are eventually declared "fit for work".

Only those disabled people with enough evidence to show they would not need a face-to-face assessment would be allowed to claim ESA straight away, with the others having to claim jobseeker's allowance until they had been assessed.

The report also says that Jobcentre Plus should do more to “to prevent large numbers of people being inappropriately directed towards ESA”, and should ensure that the face-to-face assessment is carried out “as soon as possible”.

The authors say these measures will help disabled people secure support sooner and help those who can work to find a job quicker, as well as saving the government £100 million a year, because of fewer people on ESA, lower administrative costs and increased tax revenue.

Another key recommendation of the report is for employers or GPs to be able to refer those on long-term sickness absence from work – more than four weeks – to a new “independent assessment service”.

The service would not replace the WCA, but could provide “useful evidence” to any subsequent assessment by Atos Healthcare, which is paid £100 million a year to carry out the tests for the government.

Activists fear the government will also award the contract for the new assessment service to Atos.

Tracey Lazard, chief executive of Inclusion London, said she was “dismayed” by the prospect of an “independent assessment service”.

She said: “We have an expectation that it is going to be another WCA scenario and another money-making opportunity for the likes of Atos.

“They seem to be trying to roll out the WCA model even though it is clear it is fundamentally flawed.”

She said it was difficult to understand a measure that would create more bureaucracy when the government was constantly talking about efficiency savings.

And she said it was “frankly bizarre at a time when the government is saying it wants to hand over the NHS to GPs because of their relationship with patients. So they trust GPs with the NHS, but not on this issue.”

Dame Carol said in a statement: “If implemented, these recommendations will ensure many more people with health conditions are able to enjoy the benefit of work; far fewer will needlessly lose work and fall into long-term benefit dependency.”

Lord Freud, the Conservative welfare reform minister, said the government was “committed to supporting more people with health conditions to work” but that sickness absence causes an annual £15 billion loss to the economy and “we cannot continue to foot this bill”.

He said such “needless inactivity” damaged people’s aspirations, their health, and their families and communities.

The government will publish a response to the review next year.

24 November 2011

EHRC calls for government to close 'legal loophole' on home care

A legal loophole is depriving hundreds of thousands of older people who receive care in their own homes of protection under the Human Rights Act, according to the Equality and Human Rights Commission (EHRC).

A report published by the EHRC this week has uncovered "serious, systemic threats to the basic human rights" of older people who receive home care.

They found some older people not being fed, left without access to food and water, or left by their care workers in soiled sheets and clothes, while in "numerous other instances" older people were ignored, confined to their home or bedroom, or put to bed in the early afternoon.

[Close to Home: older people and human rights in home care](#) has concluded that the poor treatment of many older people in their own homes is breaching their human rights, while there are "significant shortcomings" in the way care is commissioned by local authorities.

Among the protections offered by the Human Rights Act are respect for dignity and personal autonomy, and protection for family life and social relationships, from inhuman or degrading treatment and for the right to life.

But courts have made it clear that protection under the act is not available to people receiving state-funded home care from private and voluntary sector agencies, which together provide more than four-fifths of all home care, even though the act does now protect those in private and voluntary sector residential care.

The EHRC report warns that too many older people are unable to voice their concerns or be listened to about how they want to be supported, while a third of local authorities have cut back on home care spending, with another fifth planning to do so in the next year.

The EHRC also said some council telephone contact lines were breaking the law by screening out older people needing home care without passing them on for a full assessment of their needs.

Older people receive less money towards their care than younger people with similar support needs, and are offered a more limited range of services, says the report.

The EHRC called on the government, CQC and local authorities to work together to ensure abuse is detected more quickly and dealt with more effectively.

And it called for new guidance on human rights to be drawn up for both councils and older people themselves.

Baroness Greengross, an EHRC commissioner, said: "It is essential that care services respect people's basic human rights.

"This is not about burdensome red tape, it is about protecting people from the kind of dehumanising treatment we have uncovered.

"The emphasis is on saving pennies rather than providing a service which will meet the very real needs of our grandparents, our parents, and eventually all of us."

The EHRC report came as the Care Quality Commission (CQC) announced a new programme of inspections of 250 providers of home care.

The programme aims to develop new ways to inspect home care providers, which CQC hopes will include visiting people's homes – with their permission – while they are receiving care.

CQC made it clear the new programme would not be restricted to services for older people, but would also target providers of services for working-age disabled people. Many of the services targeted will be those where concerns have been raised about poor care standards.

23 November 2011

Housing strategy ignores urgent needs of disabled people

Campaigners have criticised the government for launching a new housing strategy without including any measures aimed at easing the shortage of accessible housing for disabled people.

The prime minister, David Cameron, and the deputy prime minister, Nick Clegg, launched their Laying the Foundations strategy this week.

The strategy includes a "new deal on housing for older people", to help them adapt their homes and stay independent.

But neither Cameron nor Clegg mention disabled people in their introduction to the strategy, even though they mention families, young people and older people.

And the 78-page strategy itself only mentions disability or disabled people six times, and offers no new measures to increase the availability of accessible housing for working-age disabled people, or to make it easier to secure disabled facilities grants (DFGs) to make adaptations to their homes.

The nearest it comes is to repeat a pledge to protect current levels of government spending on DFGs until 2014/15.

But the strategy fails to mention that the government decided last year that DFG funding would no longer be “ring-fenced”, which means local authorities have no obligation to spend the money on DFGs, which are used to pay for adaptations such as installing ramps or stair lifts, providing a downstairs bathroom or adapting lighting controls.

Paul Gamble, chief executive of Habinteg Housing Association, the accessible homes provider, said he had been unable to find a single mention of the word “wheelchair” in the entire strategy, which he said was “a glaring omission”.

He said: “We know that over 78,000 households in England are in need of wheelchair-accessible housing so we would like to see a target set for some of the 16,000 new homes mentioned in the strategy to be built to wheelchair-accessible standards.”

He said Habinteg was also “really concerned” that there was no mention of the needs of disabled people in the strategy’s discussion of the government’s HomeSwap Direct scheme, which aims to make it easier for social housing tenants to swap homes with people elsewhere in the UK.

Gamble said: “Finding work offers is hard enough for disabled people, but to be further disadvantaged by the need to secure accessible housing can severely limit opportunities to take up jobs when they do arise.”

Gamble said a “shockingly low” amount of wheelchair-accessible social housing is let to wheelchair-users, because of failures in the way vacant properties are matched to prospective tenants.

Habinteg is due to publish a report on 1 December which will recommend ways to make this process more efficient.

Gamble said he hoped the HomeSwap Direct scheme would “take a look at our findings and use them to make sure that the new scheme is able to meet the needs of wheelchair-users”.

The Communities and Local Government department declined to comment on the strategy’s failure to address the needs of disabled people.

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News provided by John Pring at www.disabilitynewsservice.com